GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department Allegation of irregularities in forming of unauthorised layouts by the realtors in Hindupur Constituency - Disciplinary proceedings against Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges - Issued.

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an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Gopal Krishna Dwivedi

Principal Secretary To Government

To
Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, (w.e). through

Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt).
The Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt). (with a request to serve the charges to the individual and furnish a served copy to Govt.,).
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE - I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI G. SIVANNA, THE THEN EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, HINDUPUR MANDAL AND PRESENT EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, LEPAKSHI MANDAL, ANANTHAPURAMU DISTRICT.

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Charge No.1:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal has failed to submit report for taking action on the responsible executive authorities who allowed the unauthorized layouts as per Rule 12 (2) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt.26.02.2002. Thus he failed to implement the provisions of the GO Ms. No. 67.Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.2:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal has failed to issue instructions to his subordinates for identifying the non-available lay out owners and take proper necessary follow up action in-respect of unauthorised layouts as per the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002. Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil

Services (Conduct) Rules, 1964.

Charge No.3:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal has not taken any proper steps to prevent the registrations from his joining i.e., 17.07.2012 to 22.06.2015 ie. Until orders issued by the District Collector, Ananthapuramu on 22.06.2015. Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.4:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal, has failed to monitor the Panchayat Secretaries although certain Panchayat secretaries have not issued notices to some of the unauthorized layout owners and not observed that follow up action regarding the unauthorized layouts for which notices were given by the Panchayat Secretaries, Hence failed to implement the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt.26.02.2002. Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.5:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while

working as E.O. (PR&RD), Hindupur Mandal has failed to submit report for taking action on the unauthorized layouts, even though some of the Panchayat Secretaries have brought up the issues by submitting reports. Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.6:-

That Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal has failed to prevent formation of 3 unauthorised layouts formed during his work period and thereby not followed/ acted as per Rule 31 of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002. Hence the Charge.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI G. SIVANNA, THE THEN EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, HINDUPUR MANDAL AND PRESENT EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, LEPAKSHI MANDAL, ANANTHAPURAMU DISTRICT.

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While enclosing the petition of Sri Nandamuri Balakrishna, Hon'ble M.L.A, Hindupur Assembly Constituency, the Chief Ministers Office has requested the V&E department to enquire into the allegations regarding realtors and corrupt officials forming illegal layouts and cheating public in Hindupur Constituency. Accordingly, the V&E department conducted an enquiry.

The Vigilance and Enforcement Officials have conducted Enquiry and furnished report vide Vigilance Report No.35 (C.No.49/V&E/D2/2016, Dt.08.05.2017 and Government vide have instructed to take action against the officials responsible for their irregularities shown in the abstract of recommendations of the DG (V&E) Report:

1. As per the findings during enquiry, 145 illegal layouts were noticed in Hindupur mandal and among them 121 illegal layouts are in Kirikera GP, Hindupur mandal only. The details of the Layouts are enclosed to the Vigilance Report.
2. During random verification, it is noticed that majority of the Panchayat Secretaries & EORDs including DLPOs in the district have not taken proper action against the illegal layouts.
3. Some of the Panchayat officers & EORDs served notices to the illegal layout developers of unauthorized layouts. But no further action was initiated against the unauthorized layouts i.e. stopping of registration, arresting / removing of unauthorized layouts as per Section 13(2) of G.O. Ms. No. 67 (L&B Rules 2002& 2007).
4. Some of the officers have not served even a single notice and no action was initiated against the illegal layout developers.
5. It is noticed that the officials mentioned above, knowing the facts of illegal layouts, did not submit any report to the District Collector, Ananthapuramu to stop the registrations of illegal layouts.
6. The Executive Authority of Panchayat Raj shall be responsible for

identifying and arresting such unauthorized layouts as per Section 13(2) of AP Layouts & Building Rules in G.O.Ms.No.67 and he also has powers to take action against the developers who rejected the notices and may also inform the same to the higher authorities.

In view of the said vigilance report,

i. Sri Prem Kumar, the then PS, Thumukuru & Kaggallu has failed to issue notices to 7 un-Authorised Layouts and failed to take follow up action in-respect of 6 unauthorised layouts for which the notices served.
ii. Sri N.Adinarayana, the then Panchayat Secretary, Manesamudram Gram Panchayat, Hindupur Mandal has failed to prevent the un-authorized layout formed during his tenure of work in Manesamudram Gram Panchayat. he has not taken any follow up action for demolition of the unaothorised layout as per the provision under Section 12 (1) (b) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, except issue of notice to one developer of unauthorized layout and failed to identify the unauthorised layouts in his Gram Panchayat and also failed to report about the un-authorised layouts to the higher authorities.
iii. Sri B. Aswarthappa, the then Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal and present Administrative Officer, Zilla Praja Parishad, Ananthapuramu District while working as Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal has not issued notice in-respect of 4 Unauthorised layouts and also failed to serve notice to the owner of the One (1) un-authorised layout, although he knows his address & Simply stated that he rejected the notice. Further not taken any action for demolition of the unaothorised layout as per the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has issued notices to 5 (as per his statement) layouts and failed to take follow up action for demolition of the unaothorised layout as per the provision under Section 12 (1) (b) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has failed to report about the un-authorised layouts to the higher authorities, has failed to take necessary action against the realtor who rejected the notice given by him for formation of unauthorized layout.

Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal has failed to submit report for taking action on the responsible executive authorities who allowed the unauthorized layouts as per Rule 12 (2) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002 as stated above. Thus he failed to implement the provisions of the GO Ms.No.67.

Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal, in his statement has stated that, the un-authorised layouts in kirikera Gram Panchayat have been demolished. But failed to take the same action on the other unauthorized layouts existed in other Gram Panchayats. Further stated that, the addresses of some un-authorised layout owners are not known and hence notices were not served. Thus, he failed to issue instructions to his subordinates for identifying the non available lay out owners and take proper necessary follow up action in-respect of unauthorised layouts as per the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, not taken any proper steps to prevent the registrations from his joining ie., 17.07.2012 to 22.06.2015 ie. Until orders issued by the District Collector, Ananthapuramu on 22.06.2015, failed to monitor the Panchayat Secretaries although certain Panchayat secretaries have not issued notices to some of the unauthorized layout owners and not observed that follow up action regarding the unauthorized layouts for which notices were given by the Panchayat Secretaries. Hence failed to implement the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, failed to submit report for taking action on the unauthorized layouts, even though some of the Panchayat Secretaries have brought up the issues by submitting reports.

Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, in his statement has stated that Three (3) un-authorised layouts were formed during his work period. Hence he failed to prevent formation of 3 unauthorised layouts formed during his work period and thereby not followed/ acted as per Rule 31 of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt.26.02.2002.

By the above mentioned acts/ facts, Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal,

Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal, Ananthapuramu District has clearly shown slack supervision, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence the Charge.

ANNEXURE - III

LIST OF DICUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI G.SIVANNA, THE THEN EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, HINDUPUR MANDAL AND PRESENT EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, LEPAKSHI MANDAL, ANANTHAPURAMU DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1. Government Memo No.5345/VIG/A2/2017-1, Dt. 08.08.2017.
2. Vigilance Report No. 35 (C.No.49/V&E/D2/2016, Dt. 08.05.2017.

ANNEXURE - IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI G.SIVANNA, THE THEN EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, HINDUPUR MANDAL AND PRESENT EXTENSION OFFICER (PR&RD), MANDAL PRAJA PARISHAD, LEPAKSHI MANDAL, ANANTHAPURAMU DISTRICT ARE PROPOSED TO BE SUSTAINED.

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